

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DONALD CHARLES SPEIRS,

Petitioner,

NO. CV-06-246-CI

vs.

JEFFREY A. UTTECH,

Respondent.

ORDER ADOPTING REPORT AND
RECOMMENDATION AND TRANSFERRING
ACTION TO WESTERN DISTRICT OF
WASHINGTON

Magistrate Judge Imbrogno filed a Report and Recommendation on October 2, 2006, recommending Mr. Speirs's action be transferred to the Western District of Washington, as he is challenging a sentence out of Island County. There being no objections, the court **ADOPTS** the Report and Recommendation and directs this action be transferred to the United States Court for the Western District of Washington pursuant to 28 U.S.C. § 1391 and 28 U.S.C. § 1406.

IT IS SO ORDERED. The District Court Executive shall enter this Order, send a copy of this Order to Plaintiff, and forward the file, along with a copy of this Order to the Clerk of Court, United States District Court for the Western District of Washington, and close

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ORDER ADOPTING REPORT AND RECOMMENDATION AND TRANSFERRING ACTION TO
WESTERN DISTRICT OF WASHINGTON -- 1

1 the file. The court notes no determination was made regarding *in
2 forma pauperis* status.

3 **DATED** this 23rd day of October 2006.

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5 s/ Fred Van Sickle
6 FRED VAN SICKLE
UNITED STATES DISTRICT JUDGE